

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARIANE LATRAY,

Defendant.

CR-16-21-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 12, 2023. (Doc. 114.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on September 5, 2023. (Doc. 109.) The United States accused Jessica Ariane Latray of supervised release 1) by

using buprenorphine on four separate occasions and 2) by failing to complete her 180-day term at the Great Falls Pre-Release Center. (Doc. 107.)

At the revocation hearing, Latray admitted that she had violated the conditions of her supervised release by failing to complete her 180-day term at the Great Falls Pre-Release Center. The Court dismissed alleged violations 1,2, 3 and 4 on the Government's motion. (Doc. 109.) Judge Johnston found that the violation proved to be serious and warranted revocation, and recommended that Latray receive a custodial sentence of 12 months and 1 day, with no supervised release to follow. Judge Johnston also recommended Latray serve her term of custody at CFI Dublin in Dublin, California. (Doc. 114.) Latray was advised of her right to appeal and her right to allocute before the undersigned and waived those rights. (Doc. 109.) The violation proves serious and warrants revocation of Latray's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 114) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Ariane Latray be sentenced to the custody of the United States Bureau of Prisons for 12 months and 1 day with no supervised release to follow. Latray should serve her term of custody at FCI Dublin in Dublin, California.

DATED this 19th day of September, 2023.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive, flowing style.

Brian Morris, Chief District Judge
United States District Court